

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**RUSSELL TODD BLACKSTONE,**

**Plaintiff,**

**v.**

**UNITED STATES AIR FORCE, et al.,**

**Defendants.**

**Case No. 2:16-cv-164**

**JUDGE GREGORY L. FROST**

**Magistrate Judge Elizabeth P. Deavers**

**ORDER**

This matter is before the Court for consideration of the Magistrate Judge's February 25, 2016 Order and Initial Screen Report and Recommendation. (ECF No. 8.) In that filing, the Magistrate Judge recommended that the Court dismiss this action pursuant to 28 U.S.C. § 1915(e)(2)(B) and Federal Rule of Civil Procedure 12(h)(3) for failure to state a claim over which this Court has jurisdiction and on which this Court could grant relief. The Order and Initial Screen Report and Recommendation specifically advised the parties that a failure to file a timely objection would waive the right to *de novo* review by the undersigned and would waive the right to appeal the judgment of this Court.

No objections have been filed, the time for filing objections has expired, and the Magistrate Judge's reasoning is correct. This Court therefore **ADOPTS** the Order and Initial Screen Report and Recommendation (ECF No. 8) and **DISMISSES** this action for want of jurisdiction and because Plaintiff has failed to state a claim upon which this Court could grant

relief. The Clerk shall enter judgment accordingly and terminate this case on the docket records of the United States District Court for the Southern District of Ohio, Eastern Division.

**IT IS SO ORDERED.**

/s/ Gregory L. Frost  
GREGORY L. FROST  
UNITED STATES DISTRICT JUDGE